

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

ACTIAN CORPORATION, ET AL.

Defendants.

Case No. 6:15-cv-00463-RWS-JDL

(LEAD CASE)

Case No. 6:15-cv-470-RWS-JDL

JURY TRIAL DEMANDED

**ORDER GRANTING STIPULATION OF DISMISSAL OF DEFENDANT
TERADATA CORPORATION**

On July 20, 2015, the parties entered into a stipulation seeking dismissal of all claims by Plaintiff Realtime Data LLC d/b/a IXO (“Realtime”) against Defendant Teradata Corporation in this proceeding without prejudice, with each party to bear its own costs. After reviewing and considering the points raised in the parties’ stipulation, including Teradata Corporation’s representation that it has no role in the development, sales, offers to sell, testing, importation or otherwise with regard to the accused products, the Court orders as follows:

- (1) All claims by Realtime against Teradata Corporation in this proceeding are dismissed without prejudice;
- (2) So long as Teradata Corporation is not named as a party in any lawsuit asserting the patents-in-suit and except with respect solely to Teradata Corporation's capacity as the parent/holding company of Teradata Operations, Inc., which remains a defendant in this action, Teradata Corporation is prohibited from filing any Declaratory Judgment action

with respect to the asserted patents, from prosecuting or assisting any other party in prosecuting any proceedings challenging the validity of the asserted patents (including without limitation reexamination or *inter partes* review), and from assisting a joint non-infringement defense to any lawsuit involving the asserted patents.

- (3) Each party shall bear its own costs.

SIGNED this 19th day of August, 2015.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE